

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

TERRY STONEKING,

Plaintiff,

v.

DISCOVER FINANCIAL SERVICES, INC.  
a/k/a DFS SERVICES, LLC, AMERICAN  
EXPRESS, CREDIT SYSTEMS  
INTERNATIONAL, INC., DIAMOND  
SHAMROCK REFINING & MARKETING  
CO., GE MONEY BANK, SOUTHWEST  
CREDIT SYSTEMS, LP, FIRST PREMIER  
BANK, TRANS UNION LLC, EXPERIAN  
SERVICES CORP., and EQUIFAX, INC.

**Defendants.**

CASE NO. 4:09-CV-00185-Y

**PLAINTIFF'S MOTION TO DISMISS WITH PREJUDICE PLAINTIFF'S CLAIMS  
AGAINST DEFENDANT GE MONEY BANK**

COMES NOW Plaintiff Terry Stoneking and files this Motion to Dismiss With Prejudice Plaintiff's Claims Against Defendant GE Money Bank.

The complaint in this case was filed with the 96<sup>th</sup> Judicial District Court of Tarrant County, Texas on February 26, 2009. This case was removed to Federal Court on March 29, 2009. Defendant GE Money Bank was served in this action. GE Money Bank has not served an answer or a motion for summary judgment in this cause. The Plaintiff is filing this Motion to Dismiss with Prejudice Plaintiff's Claims Against Defendant GE Money Bank with the intention of dismissing the case under FRCP 41(a)(1)(A)(i) with prejudice to refiling.

DATED: June 1, 2009

Respectfully submitted,

/s/ Ashton R. Anderson

Ashton R. Anderson  
State Bar No. 24062587  
PREVOST & SHAFF  
1518 Legacy Drive, Suite 260  
Frisco, TX 75034  
Telephone: (972) 239-6200  
Facsimile: (972) 239-6205

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1st day of June, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

<p>C. Ed Harrell ceh@hwallp.com HUGHES WATTERS ASKANASE, L.L.P. Three Allen Center 333 Clay, 29th Floor Houston, TX 77002</p> <p>Attorneys for Defendant Discover Financial Services, Inc. a/k/a DFS Services, LLC</p> <p>Brian Stork bstork@krcl.com Michael A. Logan mlogan@krcl.com KANE RUSSELL COLEMAN &amp; LOGAN 1601 Elm St. 3700 Thanksgiving Tower Dallas, TX 75201</p> <p>Attorney for Defendant Southwest Credit Systems, LP</p>	
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And, I hereby certify that I have forwarded a copy of the foregoing document via e-mail or facsimile to the following non-CM/ECF participants on June 1, 2009:

B. Bruce Johnson  
brucej@lawbbj.com  
Johnson & Silver, LLP  
Two Hillcrest Green  
12720 Hillcrest Road, Suite 280  
Dallas, Texas 75230-2053  
(972) 788-4610 ext. 203  
(972) 386-7694 (fax)

Attorney for Defendant  
American Express

Michael Zamat  
michael.zamat@ge.com  
GE MONEY BANK - AMERICAS  
4125 Windward Plaza  
Alpharetta, GA 30005-8378

In-House Counsel for Defendant  
GE Money Bank

/s/ ASHTON R. ANDERSON

Ashton R. Anderson